

<b>ANTONE LAMANDINGO KNOX,</b>	)	
	)	
Petitioner,	)	
	)	
v.	)	<b>No. CIV 19-052-RAW-KEW</b>
	)	
<b>MIKE CARPENTER, Warden,</b>	)	
	)	
Respondent.	)	

On February 12, 2019, Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S. C. § 2241 was transferred to this Court from the Western District of Oklahoma (Dkt. 10). On the same date Petitioner's motion for leave to proceed *in forma pauperis* in this case was denied, and he was directed to pay the \$5.00 filing fee for this action by March 5, 2019 (Dkt. 12). The fee has not been received by the Court.


On March 11, 2019, Petitioner filed a motion for recusal and disqualification of District Judge Ronald A. White and Magistrate Judge Kimberly E. West (Dkt. 13). Petitioner alleges in the motion that the judges “continue Extra-Judicial bias, bias, Prejudice, & Discriminatory Conducts Etc. against as a slave & African & in my cases past & present & future cases Etc.” He references Judge White’s order denying *in forma pauperis* status in this case and in Case No. CIV 19-050-RAW-KEW, stating the orders allowed for dismissal of the cases if the filing fees were not paid within the specified time. To allow Petitioner additional time to pay the filing fee, the Court will enter a separate Order directing prison officials at Petitioner’s facility to forward the fee.

A review of Petitioner's motion for recusal and disqualification of Judge White and Judge West reveals he has not pointed to any act or speech by either judge indicating bias, prejudice, or the appearance of impropriety. *See Mitchell v. Maynard*, 80 F.3d 1433, 1450 (10th Cir. 1996) (noting even appearance of impropriety must be avoided). Instead, Petitioner is complaining that the Court has not imposed sanctions against prison officials for failing to comply with orders concerning payment of his filing fees. Even if Petitioner could point to adverse rulings by the judges to show bias, "adverse rulings against a litigant cannot in themselves form the appropriate grounds for disqualification." *Green v. Dorrell*, 969 F.2d 915, 919 (10th Cir. 1992), *cert. denied*, 507 U.S. 940 (1993). Therefore, the motion for recusal and disqualification is denied.

**ACCORDINGLY,**

1. Petitioner's motion for recusal and disqualification of District Judge Ronald A. White and Magistrate Judge Kimberly E. West (Dkt. 13) is DENIED.
2. Petitioner is granted an additional twenty (20) days to submit the \$5.00 filing fee for this action.
3. Failure to pay the filing fee as directed or to show cause for failure to pay the fee will result in dismissal of this action without prejudice and without further notice.

**IT IS SO ORDERED** this 14th day of March 2019.

  
\_\_\_\_\_  
Ronald A. White  
United States District Judge  
Eastern District of Oklahoma